

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION
CHAPTER 13 PLAN**

Debtor(s) Angel R. Pabon
Eva M. Pabon

Case No: 6:15-bk-00288-KSJ

☒ Amended (if applicable)] Chapter 13 Plan

CHECK ONE:

_____ The Debtor¹ certifies that the Plan does not deviate from the model plan adopted by the Court at the time of the filing of this case. Any nonconforming provisions are deemed stricken.

_____ The Plan contains provisions that are specific to this Plan in Additional Provisions, paragraph 8(e) below. Any nonconforming provisions not set forth in paragraph 8(e) are deemed stricken.

1. MONTHLY PLAN PAYMENTS: Plan payments include the Trustee's fee of 10% and shall begin thirty (30) days from filing/conversion date. The Debtor shall make payments to the Trustee for the period of 60 months. In the event the Trustee does not retain the full 10%, any portion not retained will be paid to unsecured creditors *pro rata* under the plan:

- A. \$1,968.00 for months 1 through 60;
- B. \$_____ for months _____ through _____;
- C. \$_____ for months _____ through _____;

in order to pay the following creditors:

2. ADMINISTRATIVE ATTORNEY FEE: \$4,100.00 TOTAL PAID \$1,500.00

Balance Due \$2,600.00

Payable Through Plan \$63.00 Monthly

3. PRIORITY CLAIMS [as defined in 11 U.S.C. §507]:

Name of Creditor

Total Claim

4. TRUSTEE FEES: Trustee shall receive a fee from each payment received, the percentage of which is fixed periodically by the United States Trustee.

¹ All references to "Debtor" include and refer to both of the debtors in a case filed jointly by two individuals.

5. SECURED CLAIMS:

Pre-Confirmation payments allocated to secured creditors under the Plan, other than amounts allocated to cure arrearages, shall be deemed adequate protection payments. To the extent the Debtor makes such pre-confirmation payments, secured creditors who have filed proofs of claim prior to the claims bar date or within 14 days from the date of an order converting or dismissing this case, whichever date is earlier, shall have an administrative lien on such payment(s), *pro rata* with other secured creditors, subject to objection by the Debtor or Trustee.

(A) Claims Secured by Real Property Which Debtor Intends to Retain/ Mortgage Payments and Arrears, If Any, Paid through the Plan: If the Plan provides for the curing of prepetition arrearages on a mortgage, the Debtor will pay, in addition to all other sums due under the proposed Plan, all regular monthly post-petition mortgage payments to the Trustee as part of the Plan. These mortgage payments, which may be adjusted up or down as provided for under the loan documents, are due beginning the first due date after the case is filed and continuing each month thereafter. The Trustee shall pay the post-petition mortgage payments on the following mortgage claims:

| Name of Creditor | Collateral | Regular | Monthly Pmt. | Arrearages (if any) |
|------------------|------------|---------|--------------|---------------------|
|------------------|------------|---------|--------------|---------------------|

(B) Claims Secured by Real Property/Debtor Intends to Seek Mortgage Modification: Pending the resolution of a mortgage modification request, the Debtor shall make the following adequate protection payments to the Trustee, calculated at 31% of the Debtor's gross monthly income. Absent further order of this Court, the automatic stay shall terminate effective 6 months after the filing of the Debtor's bankruptcy petition:

| Name of Creditor | Collateral | Payment Amt (at 31%) |
|-------------------------|--------------------|----------------------|
| Edelweiss Financial LLC | Homestead Property | \$1,725.00 |

(C) Liens to be Avoided/Stripped:

| Name of Creditor | Collateral | Estimated Amount |
|------------------|------------|------------------|
|------------------|------------|------------------|

(D) Claims Secured by Real Property or Personal Property to Which Section 506 Valuation APPLIES: Pursuant to 11 U.S.C. § 1322(b)(2), this provision does not apply to a claim secured solely by the Debtor's principal residence. The secured portion of the claim, estimated below, and to be determined in connection with a motion to determine secured status, shall be paid as follows:

| Creditor | Collateral | Value | Payment | Interest @ _____ % |
|----------|------------|-------|---------|--------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

(E) Claims Secured by Real Property and/or Personal Property to Which Section 506 Valuation DOES NOT APPLY: Claims of the following secured creditors shall be paid in full with interest at the rate set forth below as follows.

| Creditor | Collateral | Balance | Payment | Interest @ ____% |
|----------|------------|---------|---------|------------------|
| | | | | |
| | | | | |
| | | | | |

(F) Claims Secured by Personal Property / Regular Payments and Arrearages, if any, Paid in Plan:

| Name of Creditor | Collateral | Regular Payment | Arrearages |
|------------------|------------|-----------------|------------|
| | | | |
| | | | |
| | | | |
| | | | |

(G) Secured Claims/Lease Claims Paid Direct by the Debtor: The following secured claims/lease claims are to be paid direct to the creditor or lessor by the Debtor outside the Plan. The automatic stay and any codebtor stay are terminated *in rem* as to these creditors and lessors upon the filing of this Plan. Nothing herein is intended to terminate or abrogate the Debtor's state law contract rights. The Plan must provide for the assumption of lease claims in the Lease/Executory Contract section below.

| Name of Creditor | Property/Collateral |
|--------------------------|---------------------------------|
| GM Financial | Automobile: 2014 Acura TSX |
| Space Coast Credit Union | Automobile: 2014 Hyundai Accent |

(H) Secured Claims/Lease Claims Not Provided for Under the Plan: The following secured claims/leased claims are not provided for under the Plan. As such the automatic stay and any codebtor stay do not apply and the Debtor's liability to the creditor is NOT DISCHARGED under the Plan. Nothing herein is intended to abrogate the Debtor's state law contract rights.

| Name of Creditor | Property/Collateral |
|------------------|---------------------|
| | |
| | |
| | |

(I) Surrender of Collateral/Leased Property: Debtor will surrender the following collateral/leased property no later than thirty (30) days from the filing of the

petition unless specified otherwise in the Plan. The automatic stay and any codebtor stay are terminated *in rem* as to these creditors and lessors upon the filing of this Plan. The Plan must provide for the rejection of lease claims in the Lease/Executory Contract section below.

Name of Creditor

**Property/Collateral to be
Surrendered**

6. LEASES/EXECUTORY CONTRACTS:

| Name of Creditor | Property | Assume/Reject-Surrender | Estimated Arrears |
|------------------|----------|-------------------------|-------------------|
| | | | |
| | | | |

7. GENERAL UNSECURED CREDITORS: General unsecured creditors with allowed claims shall receive a *pro rata* share of the balance of any funds remaining after payments to the above referenced creditors or shall otherwise be paid pursuant to the provisions of a subsequent Order Confirming Plan. The estimated dividend to unsecured creditors is \$1,219.00.

8. ADDITIONAL PROVISIONS:

(a) Secured creditors, whether or not dealt with under the Plan, shall retain the liens securing such claims;

(b) Payments made to any creditor shall be based upon the amount set forth in the creditor's proof of claim or other amount as may be allowed by a specific Order of the Bankruptcy Court.

(c) Property of the estate (check one)*


(1) _____ shall not vest in Debtor until the earlier of Debtor's discharge or dismissal of this case, unless the Court orders otherwise; or

(2) _____ shall vest in the Debtor upon confirmation of the Plan.

*If the Debtor fails to check (a) or (b) above, or if the Debtor checks both (a) and (b), property of the estate shall not vest in the Debtor until the earlier of the Debtor's discharge or dismissal of this case, unless the Court orders otherwise.


(d) The amounts listed for claims in this Plan are based upon Debtor's best estimate and belief. The Trustee shall only make payment to creditors with filed and allowed proof of claims. An allowed proof of claim will be controlling, unless the Court orders otherwise.

(e) Case Specific Provisions:



Debtor

Dated: 2/25/2015



Debtor

Dated: 2/25/2015

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

**IN RE: Angel R. Pabon
Eva M. Pabon**

**CASE NO: 6:15-bk-00288-KSJ
Chapter 13**

Debtors

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the *Second Amended Chapter 13 Plan and any attachments thereto* have been furnished either electronically or by U.S. Mail, this 16th day of March, 2015, to:

United States Trustee - ORL7/13, 7
Office of the United States Trustee
George C Young Federal Building
400 West Washington Street, Suite 1100
Orlando, FL 32801

Laurie K Weatherford
Post Office Box 3450
Winter Park, FL 32790

Angel and Eva Pabon
3840 Marietta Way
Saint Cloud, FL 34772

Updated Mailing Matrix
(See attached list)

/s/ Jonathan M. Benjamin
Jonathan M. Benjamin
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Skyway Law Group, PA
5716 5th Ave North
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Tele: 727-557-6945
Jonathan@skywaylaw.com

Label Matrix for local noticing
113A-6
Case 6:15-bk-00288-KSJ
Middle District of Florida
Orlando
Mon Mar 16 15:42:46 EDT 2015

Patsy Heffner, Osceola County Tax Collector
PO Box 422105
Kissimmee, FL 34742-2105

AMEX Dept. Store Card
POB 17759
Clearwater, FL 33762-0759

Christopher Furlong
Atty for PNC Bank
9204 King Palm Drive
Tampa, FL 33619-1328

Edelweiss Financial LLC
9030 Calle Alta
New Port Richey, FL 34655-5239

Georgetown & Celebration HOA
1420 Celebration Blvd.
Ste. 200
Kissimmee, FL 34747-5162

JP MORGAN CHASE "On behalf of MHEAC
d/b/a ASA", c/o Keith Coburn, MHEAC
d/b/a ASA"
100 Cambridge Street, Suite 1600
Boston, MA 02114-2518

Recovery Management Systems Corporation
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Angel R Pabon
3840 Marietta Way
Saint Cloud, FL 34772-8711

Laurie K Weatherford
Post Office Box 3450
Winter Park, FL 32790-3450

Americredit Financial Services Inc. dba GM F
P O Box 183853
Arlington, TX 76096-3853

Recovery Management Systems Corp.
Attn: Ramesh Singh
25 SE Second Avenue, Ste 1120
Miami, FL 33131-1605

Allstate Jacksonville
c/o Mary Callihan
POB 17800
Jacksonville, FL 32245-7800

Dan Newlin & Partners
Attn: David Davila
7335 W. Sand Lake Rd.
Ste. 300
Orlando, FL 32819-5539

Florida Department of Revenue
Bankruptcy Unit
Post Office Box 6668
Tallahassee FL 32314-6668

Home Defense Law Firm
7751 Kingspointe Parkway
Suite No 110
Orlando, FL 32819-6502

Kondaur Capital Corporation
333 South Anita Drive
Ste. 400
Orange, CA 92868-3314

Space Coast Credit Union
POB 419001
Melbourne, FL 32941-9001

Eva M Pabon
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Edelweiss Financial, LLC
c/o Stanton & Gasdick, P.A.
390 N. Orange Avenue
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Orlando, FL 32801-1612

United States Trustee - ORL7/13 7
Office of the United States Trustee
George C Young Federal Building
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Orlando, FL 32801-2210

(p)AMERICREDIT
PO BOX 183853
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Orlando, FL 32801-1640

GM Financial
POB 181145
Arlington, TX 76096-1145

Internal Revenue Service
Post Office Box 7346
Philadelphia PA 19101-7346

Osceola County Tax Collector
Attn: Patsy Heffner
Post Office Box 422105
Kissimmee FL 34742-2105

US Bank
as Cust for Magnolia TC, 14
PO Box 645290
Cincinnati OH 45264-5290

Jonathan M Benjamin
Skyway Law Group
5716 5th Ave. North
St Petersburg, FL 33710-7104

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

AmeriCredit Financial Services, Inc.
P O Box 183853
Arlington, TX 76096

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

| | | |
|---|---------------------|----|
| (d)Americredit Financial Services Inc. dba GM | End of Label Matrix | |
| P O Box 183853 | Mailable recipients | 27 |
| Arlington, TX 76096-3853 | Bypassed recipients | 1 |
| | Total | 28 |